

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
JONESBORO DIVISION

FRANKLIN HARRIS, as Next Friend and
Father of Franklin Harris, Jr., a minor,

Plaintiff,

vs.

RAY RIGSBY, ET AL.,

Defendants.

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No. 3:05V00096 SWW

ORDER

Before the Court is defendants' motion to dismiss to which plaintiff has responded. Because it appears plaintiff has complied with defendants' discovery requests, albeit late, the Court finds that the motion to dismiss [docket entry 9] should be and is hereby denied.

SO ORDERED this 22nd day of February 2006.

/s/Susan Webber Wright

UNITED STATES DISTRICT JUDGE